



Bert Bell/Pete Rozelle NFL Player Retirement Plan

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NFL PLAYERS
ASSOCIATION

REGISTERED/RETURN RECEIPT

June 29, 2015

Mr. Andre Royal
PO Box 20545
Tuscaloosa, AL 35402

Certified Article Number

7196 9008 9111 8865 5718

SENDERS RECORD

Re: Request for Reclassification

Dear Mr. Royal:

On June 23, 2015, the Disability Initial Claims Committee ("Committee") of the Bert Bell/Pete Rozelle NFL Player Retirement Plan ("Plan") considered your request for the reclassification of your total and permanent disability ("T&P") benefits. We regret to inform you that the Committee denied your request. This letter describes the Committee's decision.

Relevant Plan Provisions

Plan section 5.10(e) provides that:

"Any Player who was awarded a disability benefit prior to September 1, 2011 (including any Player whose application for a disability benefit was received by this Plan prior to September 1, 2011, that leads to an award of a benefit) will not be eligible for a benefit under the rules governing the award of disability benefits that go into effect on September 1, 2011, unless based on an impairment other than the one that originally qualified him for a disability benefit. Furthermore, the rules in effect prior to September 1, 2011, will govern all appeals and reclassifications of disability benefits that were awarded prior to September 1, 2011 (including any Player whose application for a disability benefit was received by this Plan prior to September 1, 2011, that leads to an award of a benefit), except that the dispute resolution procedures of Section 8.3 will apply."

Prior Plan section 5.1 provides that T&P benefits will be awarded in one of four categories, only two of which are relevant here:

- (a) Active Football. The monthly total and permanent disability benefit will be no less than \$4,000 if the disability(ies) results from League football activities, arises while the Player is an Active Player, and causes the Player to be totally and permanently disabled "shortly after" the disability(ies) first arises.

- (c) Football Degenerative. The monthly total and permanent disability benefit will be no less than \$4,000 if the disability(ies) arises out of League football activities, and results in total and permanent disability before 15 years after the end of the Player's last Credited Season.

Prior Plan section 5.5(a) provides that:

"Classification of total and permanent disability benefits under Section 5.1 will be determined by the Retirement Board or the Disability Initial Claims Committee in all cases based on all of the facts and circumstances. In determining the appropriate classification of benefits for a Player who is totally and permanently disabled, it will be conclusively presumed that the Player was not totally and permanently disabled for all months or other periods of time more than forty-two (42) months prior to the date the Retirement Board receives a written application or similar request for total and permanent disability benefits that begins the administrative process that results in the award of the benefit. This forty-two (42) month limitation period will be tolled for any period of time during which such Player is found by the Retirement Board or the Disability Initial Claims Committee to be physically or mentally incapacitated in a manner that substantially interferes with the filing of such claim."

Prior Plan section 5.5(b) contained special rules applicable to claims for reclassification of T&P benefits:

"A Player who becomes totally and permanently disabled and who satisfies the conditions of eligibility for benefits under Section 5.1(a), 5.1(b), 5.1(c), or 5.1(d) will be deemed to continue to be eligible only for the category of benefits for which he first qualifies, unless the Player shows by evidence found by the Retirement Board or the Disability Initial Claims Committee to be clear and convincing that, because of changed circumstances, the Player satisfies the conditions of eligibility for a benefit under a different category of total and permanent disability benefits. A Player's total and permanent disability benefit will not be reclassified or otherwise increased with respect to any month or other period of time that precedes by more than forty-two months the date the Retirement Board receives a written application or similar letter requesting such reclassification or increase that begins the administrative process that results in the award of the benefit. This forty-two month limitation period will be tolled for any period of time during which such Player is found by the Retirement Board or the Disability Initial Claims Committee to be physically or mentally incapacitated in a manner that substantially interferes with the filing of such claim."

Discussion

As you know, you were awarded Football Degenerative T&P benefits effective March 1, 2001 by the Retirement Board at its October 18, 2001 meeting. You did not appeal the Retirement Board's decision.

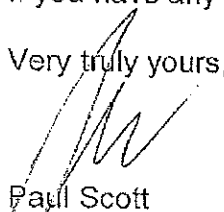
On June 23, 2015, the Committee reviewed your May 14, 2015 letter and supporting documentation and determined that it does not present clear and convincing evidence that you meet the qualifications for the Active Football category because of changed circumstances. The Committee therefore denied your request for reclassification to the Active Football category.

Appeal Rights

Attached to this letter is section 12.6 of the Plan, which governs your right to appeal the Committee's decision. You may appeal the Committee's decision to the Plan's Retirement Board by filing a written request for review with the Retirement Board at this office within 180 days of your receipt of this letter. You should also submit written comments, documents and any other information that you believe shows you qualify for these benefits. The Retirement Board will take into account all available information, regardless of whether that information was available or presented to the Committee. Please note that if the Retirement Board reaches an adverse decision on review, you may then bring a civil action under section 502(a) of the Employee Retirement Income Security Act of 1974, as amended, 27 U.S.C. § 1132(a).

If you have any questions, please contact the Plan Office.

Very truly yours,



Paul Scott
Director of Disability Benefits
on behalf of the Disability Initial Claims Committee

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Enclosure